



#3416 (1) (E) (103)
6/26/03
Expedited Procedure - Examining Group 1637

PATENT

ATTORNEY DOCKET NO.: 56297-5012-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas GINGERAS *et al.*

Application No.: 09/285,306

Filed: April 2, 1999

For: **MYCOBACTERIAL RPOB SEQUENCES**

Group Art Unit: 1637

Examiner: J. Siew

RECEIVED
JUN 23 2003
TECH CENTER 1600/2900

MAIL STOP AF

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place, Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 responding to the Office Action dated March 25, 2003 (Paper No. 33).

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

3. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §' 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: June 19, 2003

CUSTOMER NO. 000033522
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
202-739-3000

By:

Enrique D. Longton
Reg. No. 47,304



PATENT
Attorney Docket: 056297-5012-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Thomas GINGERAS *et al.*)
)
Application No. 09/285,306)
)
Filed: April 2, 1999)
)
For: MYCOBACTERIAL RpoB SEQUENCES)

Group Art Unit: 1637

Examiner: J. Siew

RECEIVED
JUN 23 2003
TECH CENTER 1600/2900

MAIL STOP AF

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

AMENDMENT

This amendment is filed in response to the Office Action mailed March 25, 2003, the period for response to which extends through June 25, 2003. Please amend the above-identified application as follows: